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MAIL STOP PCT
Attorney Docket: 27681U
Attorney: GMN/TEH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PARK et al.

Serial No.: 10/593,900

Filed: September 22, 2006

Internatl. Application No.: PCT/KR2005/000889

Internatl. Filing Date: 25 March 2005 (25.03.2005)

For: **DETECTION METHOD OF DNA AMPLIFICATION USING PROBE LABELED
WITH INTERCALATING DYE**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

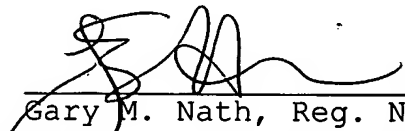
- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 9 cited references;
- 3) Copies of 3 of the 9 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

December 22, 2006

By:



Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Customer No. 20529

ct



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☒ [XXX] The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ [] The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
☐ [] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
☐ [] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- c. ☐ [] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

- d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

- e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

- f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

- g. [XXX] Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached, with a completed Form PTO-1449, as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

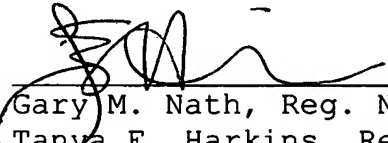
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

December 22, 2006

By:


Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 33,247
Customer No. 20529

ct



PTO Form-1449
INFORMATION DISCLOSURE
CITATION

In re Application of:
 PARK et al.

Appl. No:
 10/593,900

Filing Date:
 September 22, 2006

Intl. Appl. No.:
 PCT/KR2005/000889

Intl. Filing Date:
 March 25, 2005 (25.03.2005)

Examiner: UNKNOWN

Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1	5,210,015	11 May 1993	Gelfand et al.	06 Aug 1990
	A2	5,312,728	17 May 1994	Lizardi et al.	04 May 1992
	A3	5,538,848	23 Jul 1996	Livak et al.	16 Nov 1994
	A4	5,563,037	08 Oct 1996	Sutherland et al.	21 Dec 1995
	A5	5,565,322	15 Oct 1996	Heller	06 Nov 1992
	A6	5,716,784	10 Feb 1998	Di Cesare	05 Feb 1996
	A7				
	A8				
	A9				

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Translation
	A10				
	A11				
	A12				

OTHER

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, etc.)
	A13	Holland et al., "Detection of Specific Polymerase Chain Reaction Product by Utilizing the 5'→3' Exonuclease Activity of <i>Thermus aquaticus</i> DNA Polymerase". <u>Proc. Natl. Acad. Sc. USA</u> , vol.88, pp.7276-7280, 1991.
	A14	Lee et al., "Allelic Discrimination by Nick-Translation PCR with Fluorogenic Probes". <u>Nucleic Acids Research</u> , vol.21 no.16, pp.3761-3766, 1993.
	A15	Tyagi et al., "Molecular Beacons: Probes that Fluoresce upon Hybridization". <u>Nature Biotechnology</u> , vol.14, pp.303-308, 1996.
	A16	
	A17	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.